

UNION ELECTRIC COMPANY,
d/b/a AMERENUE,

Plaintiff,

V.

BERNARD MOWINSKI,

Defendant.

Case No. 05-4375-CV-C-NKL

ORDER

Pending before the Court is the parties' Joint Motion to Transfer Case to Magistrate [Doc. # 11]. For the reasons set forth below, the Court denies the parties' Motion.

The parties’ dispute concerns the placement of Defendant’s boat dock on the waters of the Lake of the Ozarks. According to the parties’ Motion, “Judge William Knox has heard several cases involving similar disputes and is familiar with the background and issues in this litigation.” *See* Motion [Doc. # 11] at ¶ 2. The parties also state that they consent to transferring the matter to Judge Knox. *Id.* at ¶ 3.

Transfer of cases among judges is governed by Local Rule 83.9, which mandates that transfer is by mutual consent only and that transfer is appropriate where related cases are pending. L.R. 83.9. The parties have not identified any related case that is currently pending before Judge Knox. In fact, the parties do not identify the other litigation they

reference--they merely state that Judge Knox has heard several cases with “similar disputes.”

While Judge Knox will likely be available to assist the parties in resolving their disputes consensually, the local rules do not contemplate transfers based on mutual consent of the parties.

Accordingly, it is hereby

ORDERED that the parties’ Joint Motion to Transfer Case to Magistrate [Doc. # 11] is DENIED.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

DATE: January 10, 2006
Jefferson City, Missouri